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Date: June 3, 2003

To: **Please Deliver to: Examiner Vera Afremova**
Art Unit 1651
United States Patent and Trademark Office

Facsimile No.: (703) 746-3163

From: Susan M. Alessi assisting
James S. Keddie, Ph.D., Patent Agent

Re: U.S. Patent Application No. 09/733,266
Title: "METHODS FOR MODULATION OF OOCYTE ACTIVATION"
Inventor(s): KUO et al.
Attorney Docket No.: STAN-209

Message:

Please see the following pages following this facsimile transmittal cover sheet.

- **Applicant Initiated Interview Request Form (3 pages)**

If there are any problems concerning the transmission for these documents please contact Susan M. Alessi at (650) 833-7714 or Via email at alessi@bozpat.com.
Thank You!

Total number of pages, including this cover sheet: **4**

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PTOL-413A (05-03)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 09/733,266 First Named Applicant: Kuo
Examiner: AFREMOVA Art Unit: 1651 Status of Application: final

Tentative Participants:
(1) J. Keddie (2) _____
(3) _____ (4) _____

Proposed Date of Interview: June 4, 2003 **Proposed Time:** 11 AM (AM/PM)

Type of Interview Requested:
(1) [X] Telephonic (2) [ ] Personal (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [ ] YES [ ] NO
If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) New matter	1,3,4,15	-	[ ]	[ ]	[ ]
(2) 112, 2nd ¶	1,3-5,13,15		[ ]	[ ]	[ ]
(3) 102	1+15	Grometta Jaworowski	[ ]	[ ]	[ ]
(4) 102	1,3,4,+15 6255109	6255109	[ ]	[ ]	[ ]

[X] Continuation Sheet Attached

Brief Description of Arguments to be Presented:
(1) proposed claim amendments will follow shortly
(2) request clarification of 112 2nd ¶ rejection / continued over

An interview was conducted on the above-identified application on _____.

NOTE:
This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).
This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

(Applicant/Applicant's Representative Signature) (Examiner/SPE Signature)

Discuss Agreed not agreed

	claim	art
(5)	5	Herrero
(6)	1,3-15 13,15	'109 + Herrero.
(7)	1,3-5,13,15	Grunetto Tawerbaum + '710

More Arguments

3) Tawerbaum, Herrero, 6255109 and 6077710 place the oocytes into a solution. However getting the activie agents directly into a cell is essential for the method to work. no activation

4) 6255109 does not teach "contacting a non activated oocyte step"

5) Herrero does not teach two distinct steps

6) Grunetto does not teach oocyte activation - while calcium changes are a part of oocyte activation, they can happen without activation - see Grunetto at bottom of p 724 "the production of the inward current by SNP is not sufficient for oocyte cycle activation"

Potential claim amendments for STAN-209/09/733,266

1. A method of activating an oocyte *in vitro*, the method comprising:

directly introducing ~~**contacting a non-activated oocyte with**~~ nitric oxide (NO), an NO donor, nitric oxide synthase (NOS), or inducer of NOS **into a non-activated oocyte**; and,

~~**maintaining said oocyte until the oocyte has undergone at least one cell division,**~~

maintaining said oocyte until pronuclei have formed and migrated within the cell,

wherein said activation is performed in the absence of sperm ~~**and wherein an oocyte that has undergone at least one cell division indicates that the oocyte is activated**~~.

5. A method of inhibiting oocyte activation during fertilization *in vitro*, the method comprising:

~~**directly introducing contacting a non-activated oocyte with**~~ a nitric oxide synthase inhibitor (NOS) **into a non-activated oocyte**; and **then**

contacting said oocyte with sperm,

wherein said oocyte is inhibited from activation during fertilization *in vitro*.

15. A method of activating an oocyte *in vitro*, the method comprising:

~~**directly introducing contacting a non-activated oocyte with**~~ nitric oxide (NO), an NO donor, nitric oxide synthase (NOS), or inducer of NOS **into a non-activated oocyte to activate said oocyte;**

contacting said ~~**activated**~~ oocyte with sperm **prior to or during said** ~~**directly introducing step**~~ to inseminate said oocyte; and **then**

~~**maintaining said inseminated oocyte until the inseminated oocyte has undergone at least one cell division,**~~

maintaining said oocyte until pronuclei have formed and migrated within the cell.

~~**wherein an inseminated oocyte that has undergone at least one cell division indicates that the inseminated oocyte is activated.**~~